

MINUTES OF BENTON COUNTY QUORUM COURT

January 23, 2014

A regular meeting of the Benton County Quorum Court was held on Thursday, January 23, 2014 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

County Judge Robert D. Clinard called the meeting to order.

Deputy Clerk Janet Reaves called roll as follows:

13 JPs Present: McKenzie, J. Harrison, Allen, K. Harrison, Adams, Sandlin, Anglin,
Chiocco, Curry, Carr, Moore, Meyers, Moehring
2 Absent: * Hernandez, Jones

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Joshua Motes of Catalyst Church led the prayer.

CHANGES TO THE AGENDA:

JP Allen stated that due to an error in calculation the 25% county match for the Hazard Mitigation Program Grant, Item "B" under New Business, has been changed from \$10,750 to \$11,250.

MINUTES:

JP J. Harrison made motion to approve the minutes of the December 19, 2013 Quorum Court Meeting as distributed, seconded by JP Sandlin.

Motion passed by unanimous voice vote.

Minutes approved.

*JP Rey Hernandez entered the meeting.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT:

County Judge Bob Clinard reported that the Courthouse Feasibility study is final, and contains a letter of acceptance from Downtown Bentonville, Inc. and Benton County. He said that the letter of acceptance states that they are in agreement that the study has accomplished what it was intended to

do. He stated that it is comprehensive and a lot of discussion will be needed to decide what they are going to do in the future; he suggested that the Quorum Court form an interim committee that would include Justices of the Peace, representatives from Downtown Bentonville Inc., and the County Judge to review the study.

JP Allen stated that all of the justices of the peace should be included, and if the Committee of the Whole wants to form a committee that would be up to that committee. He said that they should review the study, and then bring it back to the Committee of the Whole for discussion.

JP Anglin stated that she really did not want to talk about the feasibility study until we have the vote on the ambulance service.

County Judge Bob Clinard reported that: 1) renovations are being completed at the Benton County Rogers Office and it is scheduled to open March 3, 2014; 2) the FEMA flood damage inspection teams are continuing to process work orders for the road and bridge damage from the August flood; 3) the Emergency Medical Services District (EMSD) election to set an \$85 annual fee for EMS service in households outside incorporated cities and not in the Northeast Benton County Emergency Medical Service District has been set for Tuesday, February 11, 2014. He said that a letter was sent to all of the registered voters in the district to inform them of the facts about EMSD service; 4) that the interview process to fill the vacant IT Director position is ongoing; 5) the January County Property Disposal Report is complete; 6) the Fisher Ford Bridge construction will begin next month, and that that Colonel Meyers Bridge is under construction; 7) Windmill Road construction has begun as a joint venture with the City of Bentonville and Benton County.

COMMITTEE REPORTS:

JP Allen reported that the Legislative Committee had met and discussed items that were addressed at the last legislature session and other legislative concerns for Benton County.

JP Curry stated that the Transportation Committee meeting to be called to discuss the conversion of vehicles to propane will be postponed because of propane shortage reports.

JP Allen stated that after the Special Election results are known, a Special Finance Committee meeting may be called to discuss Emergency Medical Services (EMS) funding.

County Judge Bob Clinard thanked the justices of the peace for their hard work and efforts informing the county residents about the Emergency Medical Services (EMS) funding.

PUBLIC COMMENTS:

None

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Carr.

There being no discussion a roll call vote was recorded as follows:

14 Yeas:	McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent:	Jones

County Judge Bob Clinard stated that former County Attorney Ed Gartin is sitting in due to the absence of County Attorney George Spence.

OLD BUSINESS:

- (A) Third and Final Reading of a Proposed Ordinance Amending Sections 2-516, 2-517, 2-528 of the Code of Ordinances of Benton County, Arkansas and Creating A New Code Section 2-537, all Regarding Benton County Employment Policy; Sponsor: JP Shirley Sandlin.

Attorney Ed Gartin read the proposed ordinance by title only.

JP Sandlin made motion to adopt, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Ordinance duly adopted and assigned **O-2014-01**

- (B) Second Reading of a Proposed Ordinance Adopting a New Planning Code by Reference; Sponsor: JP Tom Allen.

Attorney Ed Gartin read the proposed ordinance by title only.

JP Allen made motion to approve the second reading of the proposed ordinance and forward to the February 27, 2014 Quorum Court Agenda, seconded by JP K. Harrison.

There being no discussion a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Second reading passed.

- (C) Second Reading of a Proposed Ordinance Adopting a Revised Fee Schedule for Planning Review, and Exempting Agricultural Land Use From Planning Review and Fees; Sponsor: JP Tom Allen.

Attorney Ed Gartin read the proposed ordinance by title only.

JP Allen made motion to approve the second reading of the ordinance and forward to the February 27, 2014 Quorum Court Agenda, seconded by JP Kevin Harrison.

There being no discussion a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Second reading passed.

NEW BUSINESS:

- (A) Proposed Resolution Confirming the County Judge's Appointment of Ron Homeyer to the Benton County Planning Board; Sponsor: JP Patrick Carr.

Attorney Ed Gartin read the proposed resolution by title only.

JP Carr made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

County Judge Bob Clinard administered the Official Oath of Office to Ron Homeyer, swearing him in as a member of the Benton County Planning Board.

Resolution duly adopted and assigned **R-2014-01**.

- (B) Proposed Resolution Authorizing the County Judge of Benton County to Apply for a Grant on Behalf of the Benton County Emergency Management Department; Sponsor: JP Tom Allen.

Attorney Ed Gartin read the proposed resolution by title only.

JP Allen stated that there was an error in the draft resolution that had been approved by the Finance and Committee of the Whole for the Hazard Mitigation Program Grant, and that this proposed resolution contains the correct amount for the 25% county match of \$11,250, and made motion to adopt, seconded by JP Carr.

Director of Emergency Services Director Robert McGowen stated this resolution request is to secure state grant funds in the amount of \$45,000 to assist the Benton County Emergency Management Department for the associated expenditures and update as required by FEMA for the Hazard Mitigation Plan.

There being no further discussion, a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring

1 Absent: Jones

Resolution duly adopted and assigned **R-2014-02**.

- (C) Proposed Resolution Authorizing the County Judge of Benton County to Apply for a Grant on Behalf of the Benton County Master Gardeners; Sponsor: JP Susan Anglin.

Attorney Ed Gartin read the proposed resolution by title only.

JP Anglin made motion to adopt, seconded by JP Adams.

There being no discussion, a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Resolution duly adopted and assigned **R-2014-03**.

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-67 (2013 Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items; and Appropriating Additional Monies and Authorizing Additional Expenditures in Departments 0400, Sheriff, and 0419, Coroner; Sponsor: JP Jay Harrison.

Attorney Ed Gartin read the proposed appropriation ordinance by title only.

JP J. Harrison made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams, Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Appropriation ordinance duly adopted and assigned **O-2014-02**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (2014 Benton County Budget) to Create a New Fund to be Named "Department of Justice Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhood) Grant" and Numbered No. 3503 in Department 0400, Sheriff, to Amend *Schedule 1-Revenues by Fund* to Reflect the Increase in Revenues, and to appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Steve Curry.

Attorney Ed Gartin read the proposed appropriation ordinance by title only.

JP Curry made motion to adopt, seconded by JP J. Harrison.

There being no discussion, a roll call vote was recorded as follows:

14 yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Appropriation ordinance duly adopted and assigned **O-2014-03.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (2014 Benton County Budget) to Amend *Schedule 1 – Revenues by Fund* and Appropriate Additional Monies and Authorize Additional Expenditures in Department 0419, Coroner, Fund 3900;
Sponsor: JP Joel Jones.

Attorney Ed Gartin read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP K. Harrison.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Adams

Appropriation Ordinance duly adopted and assigned **O-2014-04.**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2013-83 (2014 Benton County Budget) to Add a New Fund to be Named “NEBCO Fire Department Rural Services Grant Fund” and Numbered No. 3603 in Department 0100, to Amend *Schedule 1-Revenues by Fund* to Reflect the Increase in Revenues, and to Appropriate Additional Monies and Authorize Additional Expenditures Therein; Sponsor: JP Kurt Moore.

Attorney Ed Gartin read the proposed appropriation ordinance by title only.

JP Moore made motion to adopt, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

14 Yeas: McKenzie, Hernandez, J. Harrison, Allen, K. Harrison, Adams,
Sandlin, Anglin, Chiocco, Curry, Carr, Moore, Meyers, Moehring
1 Absent: Jones

Appropriation Ordinance duly adopted and assigned **O-2014-05**.

Other Business:

None

Announcements:

County Judge Bob Clinard announced that Benton County Farm Bureau Week is the first week of February.

JP Sandlin announced that a Personnel Committee meeting will be held Monday, January 27, 2014 at 6:00 p.m.

JP Allen announced that a Finance Committee meeting will be held Tuesday, February 4, 2014 at 6:00 p.m.

Adjournment:

There being no further business to come before the court, upon motion and second the meeting was adjourned at 6:48 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk